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Filed : March 19, 2004

REMARKS

Claims 17, 21, 22 and 26 are amended herein. Support for the amendments to Claims 17 and 22 is found in the specification, for example, at page 6, line 22, to page 7, line 1. Claims 21 and 26 are amended to correct a language informality without changing the scope of the claims. The amendments to the claims do not add new matter.

New Claims 29 and 30 are added. New Claims 29 and 30 are supported by the specification, for example, at page 10, lines 7-9, page 17, line 15, to page 18, line 5, Table 1 and the Examples and Comparative Examples. The new claims do not add new matter.

Upon entry of the amendment, Claims 17, 18, 21-23, 26, 29 and 30 are pending in this application.

Rejection of Claims 17, 18, 22 and 23 under 35 U.S.C. §§102 and 103

Claims 17, 18, 22 and 23 are rejected under 35 U.S.C. §§102(b) and 103 as anticipated by or, in the alternative, obvious over, Toida (JP 2001-232730). The Office Action states that the hard coat resin layer of Toida contains all of the elements of the hard coating layer recited in the claims.

Toida cannot anticipate or render obvious the claims because Toida does not teach all elements of the claims. In particular, Toida does not teach a HALS-hybrid methacrylic or acrylic polymer comprising cyclohexyl methacrylate or cyclohexyl acrylate as a monomer component, as recited in Claims 17 and 22.

Although Toida teaches the use of various methacrylate and acrylate monomers, Toida is silent regarding use of a cyclohexyl methacrylate or cyclohexyl acrylate monomer. Thus, Toida does not teach this element of the claims. As such, Toida cannot anticipate or render obvious Claims 17 or 22 or claims dependent therefrom.

Applicants have found that the use of cyclohexyl (meth)acrylate in the HALS-hybrid (meth)acrylic polymer increases the solvent resistance of the resultant plastic film. This enhanced solvent resistance is demonstrated in Applicant's specification, at Examples 1 and 2, where the respective HALS-hybrid polymers UV-G300 and UV-G301 contain cyclohexyl methacrylate as a monomer compound, and display good solvent resistance. The use of these cyclohexyl (meth)acrylate-containing HALS-hybrid polymers increased the solvent resistance of the plastic film. Thus, Applicants have shown particularly improved properties when using the

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cyclohexyl (meth)acrylate-containing HALS-hybrid polymers UV-G300 and UV-G301 in accordance with the presently claimed invention. In contrast, Toida does not even mention use of a cyclohexyl (meth)acrylate as a monomer compound, much less any improved properties that would follow therefrom. Accordingly, the teachings of Toida cannot render Claims 17 and 22 anticipated or obvious.

New Claims 29 and 30 are further Novel and Non-Obvious over Toida

New Claims 29 and 30 are further novel and non-obvious over Toida. New Claims 29 and 30 are directed to the plastic film of Claim 17 and the method of Claim 22, respectively, wherein the hard coating layer comprises crosslinking agent in a range of 10 to 30 parts by weight based on 100 parts by weight of the (meth)acrylic polymer, wherein the solvent resistance of the plastic film is improved over the solvent resistance of plastic films with hard coating layers having crosslinking agent less than this range. This range of crosslinking agent possesses properties superior to, and unexpected over, the teachings of Toida. As such, the claims are non-obvious over Toida in accordance with M.P.E.P. §2144.05.III.

Although Toida teaches a range of crosslinking agent, Applicants' specification demonstrates that a subset of Toida's range possesses properties unexpectedly superior over other quantities within Toida's range. As such, this subset characterized by Applicants is non-obvious over Toida's teachings. See, e.g., *M.P.E.P. §2144.05.III* ("Applicant can rebut a presumption of obviousness based on a claimed invention that falls within a prior art range by showing '... that there are new and unexpected results relative to the prior art.'" citing *Iron Grip Barbell Co., Inc. v. USA Sports, Inc.*, 392 F.3d 1317, 1322, 73 USPQ2d 1225, 1228 (Fed. Cir. 2004).).

Toida teaches 0.2 to 30 parts by weight crosslinking agent. Toida provides no teaching that would lead one of ordinary skill to consider any portion of Toida's range more desirable than, or superior to, any other portion of Toida's range. In contrast, Applicants have found that hard coating layers containing crosslinking agent in a range of 10 to 30 parts by weight based on 100 parts by weight of the (meth)acrylic polymer provides superior solvent resistance over hard coating layers containing less than this range. See, for example, Applicants' Examples 1 and 2 in contrast to Comparative Examples 1-3. Thus, Applicants have discovered a subset of the range taught by Toida that possesses superior properties over other portions of Toida's range, which range Toida treats as encompassing quantities that are equally desirable. That is, the teachings of Toida treat quantities of crosslinking agent that Applicants have found demonstrate poor solvent

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resistance as equivalent to quantities of crosslinking agent that Applicants have found demonstrate superior solvent resistance. One of ordinary skill in the art would not have been guided by Toida's teachings to select the range which Applicants have found to have these superior properties. As such, Applicants' claimed range possesses properties that are superior to, and unexpected over, the teachings of Toida. These superior, unexpected properties establish Applicants' claimed range as non-obvious over the teachings of Toida. Accordingly, Claims 29 and 30 are further novel and non-obvious over the teachings of Toida.

Rejection of Claims 17, 18, 22 and 23 under 35 U.S.C. § 103

Claims 17, 18, 22 and 23 are rejected under 35 U.S.C. § 103 as obvious over Toida in view of Kageishi (JP 2001-059068). The Office Action states that Kageishi teaches acrylic resin having carboxyl and hydroxyl groups.

Claims 17, 18, 22 and 23 are non-obvious over Toida and Kageishi because the references, alone or combined, do not teach a HALS-hybrid methacrylic or acrylic polymer comprising cyclohexyl methacrylate or cyclohexyl acrylate as a monomer component, as recited in Claims 17 and 22.

The teachings of Toida are discussed above. Kageishi does not provide that which is lacking in Toida because Kageishi does not teach the use of cyclohexyl (meth)acrylate in a HALS-hybrid (meth)acrylic polymer to increase the solvent resistance of the resultant plastic film. As discussed above, Applicants have found that incorporation of HALS-hybrid polymers containing cyclohexyl methacrylate as a monomer compound into a plastic film provides increased solvent resistance to the plastic film. Any such teaching of incorporating a cyclohexyl (meth)acrylate into a HALS-hybrid (meth)acrylic polymer is absent in Kageishi. As such, Kageishi does not provide guidance to one of ordinary skill in the art to modify the teachings of Toida in order to arrive at the invention claimed in Claims 17 and 22. Accordingly, Claims 17 and 22 are non-obvious over Toida and Kageishi, alone or combined.

Rejection of Claims 21 and 26 under 35 U.S.C. § 103

Claims 21 and 26 are rejected under 35 U.S.C. § 103 as obvious over Toida in view of Shibata (US 2001/0020515). The Office Action states that Shibata teaches a layer of PSA having a thickness of about 1 micrometer to about 300 micrometer.

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Claims 21 and 26 are non-obvious over Toida and Shibata because the references, alone or combined, do not teach a HALS-hybrid methacrylic or acrylic polymer comprising cyclohexyl methacrylate or cyclohexyl acrylate as a monomer component, as recited in Claims 17 and 22 from which Claims 21 and 26 respectively depend.

The teachings of Toida are discussed above. Shibata does not provide that which is lacking in Toida because Shibata does not teach the use of cyclohexyl (meth)acrylate in a HALS-hybrid (meth)acrylic polymer to increase the solvent resistance of the resultant plastic film. As discussed above, Applicants have found that incorporation of HALS-hybrid polymers containing cyclohexyl methacrylate as a monomer compound into a plastic film provides increased solvent resistance to the plastic film. Any such teaching of incorporating a cyclohexyl (meth)acrylate into a HALS-hybrid (meth)acrylic polymer is absent in Shibata. As such, Shibata does not provide guidance to one of ordinary skill in the art to modify the teachings of Toida in order to arrive at the invention claimed in Claims 17 and 22. Accordingly, Claims 21 and 26, which respectively depend from Claims 17 and 22, are non-obvious over Toida and Shibata, alone or combined.

Rejection of Claims 21 and 26 under 35 U.S.C. § 103

Claims 21 and 26 are rejected under 35 U.S.C. § 103 as obvious over Toida in view of Kageishi and Shibata.

Claims 21 and 26 are non-obvious over Toida, Kageishi and Shibata because the references, alone or combined, do not teach a HALS-hybrid methacrylic or acrylic polymer comprising cyclohexyl methacrylate or cyclohexyl acrylate as a monomer component, as recited in Claims 17 and 22 from which Claims 21 and 26 respectively depend.

The teachings of Toida, Kageishi and Shibata are discussed above. In particular, Kageishi and Shibata do not provide that which is lacking in Toida because Kageishi and Shibata do not teach the use of cyclohexyl (meth)acrylate in a HALS-hybrid (meth)acrylic polymer to increase the solvent resistance of the resultant plastic film. As discussed above, Applicants have found that incorporation of HALS-hybrid polymers containing cyclohexyl methacrylate as a monomer compound into a plastic film provides increased solvent resistance to the plastic film. Any such teaching of incorporating a cyclohexyl (meth)acrylate into a HALS-hybrid (meth)acrylic polymer is absent in Kageishi and Shibata. As such, Kageishi and Shibata do not

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provide guidance to one of ordinary skill in the art to modify the teachings of Toida in order to arrive at the invention claimed in Claims 17 and 22. Accordingly, Claims 21 and 26, which respectively depend from Claims 17 and 22, are non-obvious over Toida, Kageishi and Shibata, alone or combined.

CONCLUSION

In view of the above, Applicants respectfully maintain that claims are patentable and request that they be passed to issue. Applicants invite the Examiner to call the undersigned if any remaining issues may be resolved by telephone.

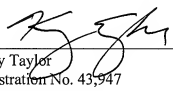
Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: July 24, 2008

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